



IFW RCE/11
1614

MAIL STOP RCE
PATENT
4301-1005-1

IN THE U.S. PATENT AND TRADEMARK OFFICE

In re application of

Werner Josef FRANTSITS

Conf. No. 3705

Serial No. 10/085,000

Group 1614

Filed March 1, 2000

Examiner Brian Kwon

AQUEOUS FORMULATION OF BETA CAROTENE

REQUEST FOR CONTINUED EXAMINATION
UNDER 37 C.F.R. § 1.114

Assistant Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

May 7, 2004

Sir:

This is a "Request for Continued Examination" under 37 C.F.R. § 1.114, the provisions of which do not apply to:

(1) A provisional application; (2) An application for a utility or plant patent filed under 35 U.S.C. 111(a) before June 8, 1995; (3) An international application filed under 35 U.S.C. §363 before June 8, 1995; (4) An application for a design patent; or (5) A patent under reexamination.

☒ This Request for Continued Examination is being filed prior to the earliest of:

(1) Payment of the issue fee, unless a petition under §1.313 is granted; (2) Abandonment of the application; or (3) The filing of a notice of appeal to the U.S. Court of Appeals for the Federal Circuit under 35 U.S.C. § 141, or the commencement of civil action under 35 U.S.C. §§ 145 or 146, unless the appeal or civil action is terminated.

☐ The enclosed document is being transmitted via the Certificate of Mailing provisions of 37 C.F.R. § 1.8.

☐ The enclosed document is being transmitted via facsimile.

05/10/2004 SSITHIB1 00000095 10085000

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385.00 DP

☒ **Submission Required under 37 C.F.R. § 1.114:**

Enter as part of the present submission:

☐ An After Final Amendment previously filed on
, under 37 C.F.R. § 1.116 but unentered, in the
present application.

☐ Arguments in the Appeal Brief or Reply Brief
previously filed on .

☐ A Reply Under Rule 1.111, attached hereto.
Claim fee(s) are calculated as set forth below:

	TOTAL NUMBER OF CLAIMS PREVIOUSLY FILED	TOTAL NUMBER OF CLAIMS BEING FILED HEREWITH	NUMBER EXTRA	RATE	FEE
Total Claims	13	17	0	x\$18 =	\$0.00
Independent Claims	1	2	0	x\$86 =	\$0.00
TOTAL CLAIM FEE(S)					\$0.00

☐ An Information Disclosure Statement (IDS) and
PTO-1449 form(s) is/are attached hereto for the
Examiner's consideration.

☒ Other: Amendment

☒ **Fees**

The required fee under 37 C.F.R. § 1.17(e) as required by
37 C.F.R. § 1.114 when the RCE is filed, is enclosed
herewith:

☒ \$385.00 - **small entity**

☐ \$770.00 - large entity

☒ The applicant hereby petition for an extension of three
(3) months pursuant to 37 C.F.R. §§ 1.17 and 1.136(a).
The fee has been calculated as shown below:

☐ NO extensions of time have been previously obtained
in the prior application. Thus, a fee of \$0.00 is
required for the full period of the above-requested
extension of time.

☒ A Notice of Appeal was filed October 7, 2003 and an extension of two (2) months was previously requested and paid for on February 9, 2004 in the instant application. Thus, a fee of \$795 is required to obtain an additional three (3) months extension of time to extend the due date for response to May 7, 2004.

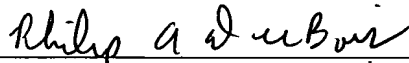
☒ Enclosed is a check in the amount of **\$1,180** for the applicable filing fee, additional claims fee, and/or extension fees.

☐ Please charge Deposit Account No. 25-0120 in the amount of \$0.00. A triplicate copy of this sheet is attached.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 25-0120 for any additional fees required under 37 C.F.R. §§1.16 or 1.17; particularly, extension of time fees.

Respectfully submitted,

YOUNG & THOMPSON



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PD/mjr

Attachments: Amendment